

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
November 7, 2016  
7:00 p.m.**

**Mayor Joseph M. Butler, Jr. Presiding**

**Present:**                **Council Member Cody J. Horbacz  
Council Member Stephen A. Jennings  
Council Member Teresa R. Macaluso  
Council Member Mark C. Walczyk  
Mayor Butler**

**Also Present:**        **Sharon Addison, City Manager  
Robert J. Slye, City Attorney**

**City staff present:** Matthew Roy, James Mills, Police Chief Donoghue, Amy Pastuf, Fire Chief Herman, Chris Parks, Justin Wood, Eugene Hayes, Brian Phelps, Erin Gardner, Michael Lumbis

The City Manager presented the following reports to Council:

- Resolution No. 1 - Appointment of Commissioner of Deeds
- Resolution No. 2 - Amendment No. 110 to the Management and Management Confidential Pay Plan
- Resolution No. 3 - Accepting Bid for Huntington Street Outfall Pipe Repair Project
- Resolution No. 4 - Approving Plan Services Agreement Extension for Administration of Section 125 Plan, Benefit Services Group
- Resolution No. 5 - Approving Renewal of Dental/Vision Coverage, Relph Benefit Advisors
- Resolution No. 6 - Approving Additions to the City of Watertown's Local Highway Inventory
- Resolution No. 7 - Approving the CDBG Grant Agreement with Cold Black River L.P. for the Black River Apartments Project
- Resolution No. 8 - Authorizing the Sale of Bicycles, Miscellaneous Items and Equipment at Public Auction
- Resolution No. 9 - Approving Request for Shuttle Bus Service, Northern Choral Society
- Resolution No. 10 - Authorizing Sunday Holiday Bus Service
- Resolution No. 11 - Approving the Community Development Block Grant (CDBG) Sub-recipient Grant Agreement with Neighbors of Watertown, Inc. for the 2014 Rental Rehabilitation Program
- Resolution No. 12 - Authorizing Public Auction for Tax Sale Certificate Assignment
- Resolution No. 13 - Authorizing Public Auction for Sale of City Owned Properties
- Resolution No. 14 - Approving Change Order No. 11 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring
- Resolution No. 15 - Authorizing Public Sale of City Owned Tax Sale Certificate
- Ordinance No. 1 - Changing the Approved Zoning Classification of the 1104 and 1108 Washington Street, Parcel Numbers 14-12-107.000 and 14-12-108.000, from Health Services to Neighborhood Business
- Ordinance No. 2 - Changing the Approved Zoning Classification of the Northeast Section of 620 Main Street West, Parcel Number 1-02-114, from Residence B to Neighborhood Business

- Ordinance No. 3 - An Ordinance Increasing the Estimated Maximum Cost and Amending the Plan of Financing in a Bond Ordinance Dated April 4, 2016 Entitled “An Ordinance Authorizing the Issuance of \$9,440,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay Part of the \$9,850,000 Cost of Various Improvements to the City of Watertown Wastewater Treatment Plant, Constituting Phase 1 of the City’s Sludge Disposal Modification Program, to be Undertaken in Two Sub-Phases, Phase 1a and Phase 1b, in and For Said City”
- Ordinance No. 4 - An Ordinance Amending the Ordinance Dated April 19, 2016, Authorizing the Issuance of \$10,700,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Design, Reconstruction and Expansion of the City’s Fairgrounds Arena, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$10,850,000
- Ordinance No. 5 - An Ordinance Amending the Ordinance Dated April 19, 2016, Authorizing the Issuance of \$10,700,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Design, Reconstruction and Expansion of the City’s Fairgrounds Arena, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$10,750,000
- Tabled Resolution - Approving Change Order No. 11 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring
- Tabled Resolution - Approving Change Order No. 8 for Watertown Municipal Arena Renovation, Plumbing/Fire Protection, Lawman Heating & Cooling, Inc.
- Naming rights for Municipal Arena
- Year-end Financial Report
- Watertown Municipal Arena Renovation – Recommended Course of Action

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of October 17, 2016, was dispensed and accepted as written by motion of Council Member Stephen A. Jennings, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

**C O M M U N I C A T I O N S**

A letter was received from Mary Abbass, 933 LeRay Street, expressing concerns over Buck Elder ants in the trees behind her property as well as issues that she has with the owner of the property where she resides.

A letter was received from S. G. Gates, 157 Dorsey Street, discussing his possible lawsuit against the City for discrimination towards dog owners and requesting Council to hold a public referendum to determine if the dog park should be located within Thompson Park.

A letter was received from David Schryver, 23009 County Route 59, Dexter, asking Council to initiate the application process to garner official status for Great Falls in Watertown.

**Above communications were placed on file in the office of the City Clerk.**

A claim was received from Mike Delaney, 724 Ives Street, requesting reimbursement of \$216.00 for a plumbing bill due to National Grid placing a pole through his sewer line.

A claim was received from Mary Humphrey, 20B East First Street, Sandy Creek, seeking reimbursement of medical bills and loss of pay from work due to a broken wrist after falling while ice skating at the Arena on October 11, 2016.

**Above claims have been referred to the Board of Audit.**

**PRESENTATIONS**

Mayor Butler welcomed Gilbert H. Pearsall, Jr, Chair of the North Country Honors the Mountain Committee, who presented Council with a plaque containing a segment of the release featured on the 10<sup>th</sup> Mountain Division Monument. He said this is in appreciation for all that the City has done in assisting to erect this monument within Thompson Park. He mentioned there is a fundraising campaign in which individuals can purchase pavers to be installed within the monument's pathway and the funds will help to defray the cost of maintenance.

**PROCLAMATION**

Mayor Butler interrupted the regular course of business to proclaim November 7, 2016, as the 50<sup>th</sup> Anniversary of the Watertown, New York, Chapter of the Barbershop Harmony Society and call upon all citizens to applaud and honor the Watertown Chapter and all its members for continuing distinguished service to the community.

**PRESENTATIONS**

**Health Insurance Annual Review by Pomco**

Mayor Butler welcomed Rachael Rotella, Account Manager, and Penny Barron, Client Development Executive, to present the annual review of the health insurance to Council.

Ms. Rotella reviewed the presentation packet (on file in the City Clerk's Office). She explained the historical financial performance for the last ten years, noting that program costs have increased an average of 5.2% on a per enrollee basis. She said this is good because the industry average is between 6-8%. Of the overall cost, she stated 63% is due to medical claims and 34% is due to prescription drug costs. She mentioned the average annual variance of budget versus the actual program cost of 1.5% reflects the partnership with Pomco under a self-funded arrangement is working well in benefiting the City. She reviewed the health plan financial trends in detail and summarized that the net program cost and the per member cost are both lower than the industry standard.

Mayor Butler discussed the stop loss reimbursement and premium, noting that it was reviewed by an actuary a few years ago. He asked that this continue to be reviewed periodically.

Ms. Rotella reviewed the per member breakdown by claim type and the major medical claims cost per member by type in detail, highlighting the differences in claims over the past three years. She indicated

that routine and preventative services have increased which is good to see. She discussed the provider network utilization at 98.3% which reflects great usage and is higher than the Pomco book of business of 95%. She reviewed the top facility providers, the large claimants over \$50,000 and the health plan financial trends.

Mayor Butler asked if the City added a national provider network.

Ms. Barron responded that Pomco uses MultiPlan/PHCS, which gives access to 850,000 providers across the country. She noted the 98% encompasses all of the providers in this network.

Ms. Rotella pointed out there was a slight increase in large claimants over \$50,000, noting there was an increase in inpatient and major medical services but a decrease in outpatient services. She analyzed the large claimants further by cost bands and top diagnosis. In closing, she reviewed the reasons that members call Pomco and how they use the website.

### **Health Insurance Annual Review by ProAct**

Mayor Butler welcomed Michael Larca, Director of Account Management, and David Schryver, VP of Client Relations, to provide an annual review of this program.

Mr. Larca reviewed the presentation packet (on file in the City Clerk's Office) explaining the performance summary and utilization summary. He said the plan did well this year with an increase in mail order utilization by members but noted there are some new members utilizing specialty medications. On page 5, he analyzed the demographics of the members, noting that as members age there is a tendency to use more expensive medicines. Reviewing the drug usage analysis, he indicated the trend is to see an increase in specialty drugs usage and the City is at 13.95%, which is a 27% increase from last year. In response to Mayor Butler, Mr. Larca said Humira is the number one specialty drug used within the City of Watertown.

Mr. Schryver explained Humira can be used for rheumatoid arthritis and added that specialty drugs can be used on the outpatient side as treatments for Hep C, cancer, MS, rheumatoid arthritis and psoriasis. He pointed out the City's usage is still below the average compared with other plans but the trend is to see this increase over the years.

Mr. Larca reviewed further the specialty drug summary and top specialty drugs on page 8 and 9. He pointed out on page 10 that members are increasing their usage of mail ordering for maintenance drugs, showing it increased from 32% to 51%. Reviewing page 10 listing the patent expiration list, Mr. Larca noted future savings from the release of generics of certain medications. In conclusion, he reviewed the saving opportunities offered by ProAct.

In response to Mayor Butler's question, Mr. Schryver discussed the current use of CanRx. He said he can provide the City with a supplemental report of this usage. In addition, he advised how the members are educated in order to increase cost savings.

### **PRIVILEGE OF THE FLOOR**

**Patricia Whalen**, 321 Franklin Street, informed Council that she will be submitting more petitions regarding bedbugs within the City of Watertown, and she is close to 1,000 signatures. She pointed out

there has been a new outbreak of bedbugs within Creekwood Apartments and stressed something needs to be done about this problem. In addition, she reminded Council of her safety concerns with the intersection of Sterling and Franklin Streets.

**David Schryver**, 23009 County Route 59, Dexter, told Council that he has created a website ([www.nnywaterfalls.com](http://www.nnywaterfalls.com)) which is a comprehensive guide and list of waterfalls throughout the entire North Country area. He said his latest effort is to get the falls at the Mill Street Bridge officially named as the “Great Falls” on the United State Geological Survey (USGS) database. He is requesting a letter of support from the City of Watertown in order to initiate the application process for this.

**Michael Vincent**, 127 North Indiana Avenue, addressed the chair regarding parking restrictions. Mentioning a recent incident in which traffic and school buses had difficulty travelling down his street, he suggested the City restrict parking to only one side of the street. He also asked for an update regarding the possibility of drone legislation, which he brought to Council’s attention in the past. Lastly, he stated he does not believe the City should hire a consultant to assist with selling the naming rights to the Arena and said it should be named the “Watertown Municipal Arena.”

**Timothy Drew**, 663 Burchard Street, addressed the chair regarding the implementation of a neighborhood watch program and said getting actively involved with the Police Department leads to a safer community.

## **RESOLUTIONS**

### **Resolution No. 1 - Appointment of Commissioner of Deeds**

#### **Introduced by Council Member Stephen A. Jennings**

WHEREAS Commissioner of Deeds in the cities of this state shall be appointed by the common councils of such cities, and

WHEREAS Commissioner of Deeds shall hold the term of two years, and

WHEREAS any person who resides in or maintains an office or other place of business in any such city and who resides in the county in which said city is situated shall be eligible to appointment,

NOW THEREFORE BE IT RESOLVED that the following individuals are hereby appointed Commissioner of Deeds for the term expiring December 31, 2018.

#### **City Employee - Police Department**

Badalato, Jason J.	Bickel, Charles L.
Boyle, Sean P.	Brady, Glenn M.
Bull, Jacob W.	Chartrand, Suzanne M.
Cooley, Kristopher W. E.	Cummings, George A.
Davis, Joshua W.	Dawley, Matthew J.
Dean, Joel	Donoghue, Charles P.
Donoghue, Sr., Joseph R.	Finster, Michael G.
Flath, Tyler M.	Foote, Jeremy D.
Freeman, Scott J.	Gatch, Ronald E.

Gauthier, Amanda L.  
Gibbs, Gregory P.  
Horr, David W.  
Keefer, Jennifer L.  
Kittelson Jr., Timothy  
Lewis, Elizabeth M.  
March II, Frederick E.  
McConnell, Wayne W.  
McIntyre, Scott M.  
McLane, Eric J.  
Moran, Joshua  
Neddo, Andrew T.  
O'Brien, Cristin N.  
Pitts, Jonathan M.  
Rafferty, William K.  
Romano, James A.  
Sines, Robert L.  
Sutton, Mark W.  
Trapp, Vance J.  
White, Samuel R.  
Yott, Darren K.

Giaquinto, Joseph A.  
Gooshaw, Matthew C.  
Kamide II, Christopher J.  
Kelly, Virginia  
Lamica, Mark A.  
Maney, Michael S.  
McAdoo, Michael  
McKoy, Omar P.  
McKeever, Nathan L.  
Miller, Ernest J.  
Mullins Jr., Michael J.  
Noone, Kenny C.  
O'Brien, Dennis P.  
Preedom, Matthew D.  
Roll, Matthew T.  
Ryan, Shane M.  
Spencer, Jr., James R.  
Thomas, Christopher L.  
Trottier, Holly M.  
Whitmore, Roy E.

**City Employee - Code Department**

Meunier, Carolyn

Shipley, Christine

**Non-City Employees**

Buzzell, Tina  
Izzo, Mary G.  
McIntosh, Martha Ann  
Walroth, Barbara A.

DeFranco, Carmeline  
LeMay II, Lawrence Leo  
Rivera, Vilmarie  
Wells, Christine M.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 2 - Amendment No. 110 to the Management and Management Confidential Pay Plan**

**Introduced by Council Member Stephen A. Jennings**

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves Amendment No. 110 to the Management and Management Confidential Pay Plan, for the position listed below, as follows:

<u>Position</u>	<u>Salary</u>
Planner *(New Appointment)	\$43,000

**Seconded by Council Member Teresa R. Macaluso**

**Motion was made by Council Member Stephen A. Jennings to amend the foregoing resolution in order to add the words "New Appointment". Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

Council Member Walczyk wondered if this should wait until the budget process is complete and said it may be a way to attrite the position without causing damage.

Council Member Macaluso commented this is a position that needs to be filled due to a vacancy and it is not a new position. She stated that she will not short this department.

Council Member Jennings said he has no interest in cutting this position.

In response to Council Member Horbacz's question, Michael Lumbis, Planning and Community Development Director, explained the roles of the two planning positions and noted there is currently a list of over 40 different projects that the department is working on.

Mayor Butler indicated that he will support this position, noting how the Planning Department plays an active role in economic development and it is important to maintain a robust staff in this area.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Walczyk voting nay.**

**Resolution No. 3 - Accepting Bid for Huntington Street Outfall Pipe Repair Project**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the repair of the Huntington Street Outfall Pipe, as per City specifications, and

WHEREAS bid invitations were sent to four (4) prospective bidders, with three (3) sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, October 27, 2016, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with City Engineer Justin Wood and Civil Engineer II Jeff Hammond, and it is their recommendation that the City Council accept the bid submitted by Acts II Construction,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Acts II Construction in the amount of \$62,700.00 for the repair of the Huntington Street Outfall Pipe as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to sign all contracts associated with implementing the award to Acts II Construction.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Justin Wood, City Engineer, explained that there is a concrete headwall that is along the Black River and the rock ledge supporting it has blown out which has created a sink hole. He reviewed the repairs that would be done and the timing of the project in conjunction with the Huntington Street Trail project.

James Mills, City Comptroller, confirmed for Mayor Butler that this will be funded through the General Fund.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 4 - Approving Plan Services Agreement Extension for Administration of Section 125 Plan, Benefit Services Group**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS on November 13, 2013 the City Council awarded a contract to Benefit Services Group following an RFP for the Administration of the City of Watertown's Section 125 Plan, and

WHEREAS the contract included the option to extend for four one-year extensions, and

WHEREAS it is the recommendation of the Benefits Administrator that the City of Watertown extend the Plan Service Agreement with Benefit Services Group for another year,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, approves the one-year extension of the Plan Service Agreement for Administration of the City's Section 125 Plan, a copy of which is attached and made part of this resolution, effective January 1, 2017, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby directed and authorized to execute documents necessary associated with implementing this extension.

**Seconded by Council Member Stephen A. Jennings and carried with all voting yea.**

**Resolution No. 5 - Approving Renewal of Dental/Vision Coverage, Relph Benefit Advisors**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS on March 3, 2014 City Council accepted the bid from Relph Benefits Advisors for dental and vision coverage for City employees through Guardian at no cost to the City, and

WHEREAS the agreement provided for three additional one-year extensions, and

WHEREAS it is the recommendation of the Benefit Administrator that the City of Watertown renew this coverage for another year,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, approves the one-year extension of the Agreement to provide dental/vision coverage through Relph Benefit Advisors effective January 1, 2017, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby directed and authorized to execute documents associated with implementing this extension.

**Seconded by Council Member Teresa R. Macaluso**



Prior to the vote on the foregoing resolution, Mayor Butler noted the City does not pay anything towards the premium for dental and vision insurance and it is fully paid for by the employees. He mentioned the premium for Guardian is slightly higher than the premium for MetLife.

Chris Parks, Benefits Administrator, explained the decision was based on the disruption factor by the employees since the increase in cost was not much of a difference.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 6 - Approving Additions to the City of Watertown's Local Highway Inventory**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS each October, the City Engineering Department performs a review of our Local Highway Inventory and in early November submits their findings to the New York State Department of Transportation (NYSDOT), and

WHEREAS during this year's review, the City Engineering Department determined certain City-maintained streets were not included, and

WHEREAS the City of Watertown has and will continue to own and maintain all or sections of the following streets: Martin Street, Mather Street, Newell Street, Pamela Street, and Plum Avenue,

NOW THEREFORE BE IT RESOLVED that the City of Watertown accepts maintenance and operational responsibility of said streets, for the road segment as depicted in the map, of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Engineer Justin Wood is hereby authorized and directed to amend the City's Local Highway Inventory to include said streets and provide the amended inventory to NYSDOT for their consideration.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Mr. Wood explained the additional streets are streets in which the City has a deed on file. Explaining the State's conversion to a GIS based Local Highway Inventory, he said it was easier to overlay onto the City streets and see any discrepancies. He pointed out these additional streets would have been difficult to notice since they are little stub streets ranging to 100 - 200 feet in length.

Mayor Butler thanked Council Member Walczyk for requesting this to be reviewed further, noting this will slightly increase the City's CHIPS funding.

Regarding private streets, Mr. Wood indicated there is an extensive acquisition process before they can be added to the inventory for this program.

In response to Council Member Walczyk's questions regarding information he received from a recent conference, Attorney Slye pointed out that this information is applicable to townships and not cities. He explained that towns do not own the road bed but cities do. He further explained that in towns, the

individual property owners own the property to the center line of the road and in cities, the City owns between the inside of the sidewalk on one side to the inside of the sidewalk on the other side.

Mr. Wood added that he had checked with DOT Region 7 and they provided him with a copy of the guideline which lists the requirements for adding any new streets.

Council Member Walczyk said he has spoken with a number of residents that live on paper streets and are not happy with services because the City has not taken ownership of it. He stated the process should be easy if the City wants to take ownership of these streets and the City should not get complaints from these residents.

Mayor Butler indicated the residents should come to Council requesting the street be dedicated to the City if that is what they want. He reviewed the process, noting the need for sidewalks and sewer hookups on City streets. He warned that not everyone living on this type of street wants it changed and discussed examples of when there have been issues with this in the past.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 7 - Approving the CDBG Grant Agreement with Cold Black River L.P. for the Black River Apartments Project**

WHEREAS the City of Watertown's Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2016 includes a project known as the Black River Apartments Project, and

WHEREAS the Black River Apartments Project consists of the renovation and/or redevelopment of 115 affordable housing units in several buildings at the following locations: 309 Mill Street, 261 State Street, 550 Coffeen Street, 272 Mullin Street, 536 Emerson Street, and 152 Academy Street in Watertown, New York, and

WHEREAS the Annual Action Plan identifies the Black River Apartments activity to be \$150,000 in funding for architectural fees for the project, and

WHEREAS the owner of Black River Apartments will be Cold Black River L.P., and

WHEREAS a Grant Agreement between the City of Watertown and Cold Black River L.P. for the CDBG funds has been drafted,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Grant Agreement with the Cold Black River L.P., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute the Grant Agreement on behalf of the City Council.

**No Introduction.**

**Resolution No. 8 - Authorizing the Sale of Bicycles, Miscellaneous Items and Equipment at Public Auction**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City of Watertown has acquired a number of abandoned bicycles and miscellaneous items and equipment, the listing of which is attached and made a part of this resolution, and

WHEREAS these bicycles and miscellaneous items have some value best determined by public auction,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by auction, of abandoned bicycles and miscellaneous items and equipment, and to further declare all bids final and sales complete while said auction is conducted, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council.

**Seconded by Council Member Stephen A. Jennings**

Prior to the vote on the foregoing resolution, Police Chief Donoghue explained how the Police Department comes into procession of these items.

In response to Council Member Macaluso's question, Attorney Slye indicated the City is obligated by State Law to hold an auction and cannot donate the bikes to Toys for Tots.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 9 - Approving Request for Shuttle Bus Service, Northern Choral Society**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the Northern Choral Society has performed a holiday concert at the Asbury United Methodist Church for the benefit of the citizens for years, and

WHEREAS the City of Watertown had graciously provided shuttle bus service for this concert at no charge to the riders or the Northern Choral Society since 2004, and

WHEREAS it is the recommendation of the Superintendent of Public Works to continue this service as part of the City of Watertown's Charter Bus Policy,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, approves providing the shuttle bus service at no charge for the Northern Choral Society concert planned for December 3 and 4, 2016, at the United Methodist Church on Franklin Street.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Council Member Horbacz asked what the cost is to provide this service.

Eugene Hayes, Superintendent of Public Works, indicated that it costs approximately \$300 in order to transport 250 people for the two days.

Council Member Horbacz said he recognizes the value of this service and that it is important to the community but he is frustrated this is provided at a cost to the City of \$300 while Council recently forced a school in the low income portion of the City to pay a \$200 fee for use of the pavilion in Thompson Park. He said he does not have a problem with this bus service but when things are done for the benefit of the community, it needs to be consistent across the board.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 10 - Authorizing Sunday Holiday Bus Service**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City of Watertown has extended its bus service to include Sundays for four weeks during the holiday season for the benefit of the citizens in the past, and

WHEREAS the City of Watertown would again like to provide this service to its residents for the 2016 holiday season,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, authorizes extending the bus service to include Sundays for a four week period beginning November 27, 2016.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Mayor Butler explained this will extend the bus service during the holiday season.

Mr. Hayes explained the costs of the program in the past, noting the ADA Paratransit Bus must run at the same time, and said increased ridership would assist with the expenses. He noted that he is using full-time and part-time bus drivers and said there were approximately 1,000 riders over the five weeks last year. He confirmed the bus fare is \$1.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 11 - Approving the Community Development Block Grant (CDBG) Sub-recipient Grant Agreement with Neighbors of Watertown, Inc. for the 2014 Rental Rehabilitation Program**

WHEREAS the City of Watertown's Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2014 includes the rehabilitation of nine (9) substandard apartment units within the City of Watertown, and

WHEREAS the Annual Action Plan identifies the Rental Rehabilitation activity to be \$226,000 in funding for rehabilitation, administration and program delivery, and

WHEREAS Neighbors of Watertown, Inc. will serve as the Sub-Recipient of the funds for program administration, and

WHEREAS a Sub-Recipient Agreement between the City of Watertown and Neighbors of Watertown, Inc. for the CDBG funds has been prepared,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Sub-Recipient Agreement for program administration with the Neighbors of Watertown for the 2014 Rental Rehabilitation Program, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute the Grant Agreement on behalf of the City Council.

**No Introduction.**

**Resolution No. 12 - Authorizing Public Auction for Tax Sale Certificate Assignment**

WHEREAS the City of Watertown is the owner of certain tax sale certificates on various lots of land as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as follows:  
and,

<u>Parcel Number</u>	<u>Address</u>	<u>Original Tax Sale Certificate Amount</u>
01-14-121.000	591 Rear Main Street West	\$ 9,359.63
01-18-102.000	424 Vanduzee Street	\$ 44,365.93

WHEREAS the City Council does not wish to take title to these properties,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No.1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the tax sale certificates for the land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcels of land will, at 6:00 p.m. on the 14th day of October, 2015, in the 3rd Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder there present, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to accept bids for said parcels, in an amount not less than the minimum price set below, subject to the rights of the said City Council to reject any and all bids, and

<u>Parcel Number</u>	<u>Address</u>	<u>Minimum Bid</u>
01-14-121.000	591 Rear Main Street West	\$ 1,000.00
01-18-102.000	424 Vanduzee Street	\$ 1,000.00

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 percent (10%) of the bid price at the same time of each said bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said tax sale certificates shall be offered for sale for cash only, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any tax sale certificate prior to the public sale of said certificate.

**No Introduction.**

**Resolution No. 13 - Authorizing Public Auction for Sale of City Owned Properties**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City of Watertown owns certain lots of land acquired at Tax Sale and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as follows:

<u>Parcel Number</u>	<u>Address</u>
11-03-220.000	166 Academy Street
<del>1-10-310.000</del>	<del>825 Academy Street</del>
1-10-310.000	103 Alexandria Avenue
3-05-331.000	VL Burlington Street
<del>9-14-122.000</del>	<del>125 Casey Street</del>
2-02-114.000	524 Clay Street
5-06-260.000	340 Rear Colorado Avenue
5-02-302.000	1205 Columbia Street
2-02-114.000	524 Cooper Street
5-04-208.000	1230 Gill Street
6-06-125.000	316 High Street
6-06-126.001	318 Rear High Street
6-06-126.000	320 High Street
<del>6-11-308.000</del>	<del>900 Huntington Street</del>
3-05-305.000	602 Lansing Street
2-03-111.000	367 Main Street West
<del>8-05-121.000</del>	<del>140 Palmer Street</del>
<del>8-05-120.000</del>	<del>VL 140 Palmer Street</del>
14-20-313.000	VL-3 Richards Drive
7-17-117.000	321 Sill Street
11-01.105.000	209 Sterling Street
03-09-101.000	36 Stuart Street
1-24-202.000	59 Woodley Street
1-24-201.000	60 Woodley Street

And,

WHEREAS title said land has been retained by the City of Watertown, and

WHEREAS the City Council deems the properties to be excess and not required for any City purposes, and

WHEREAS the City Council desires to ensure that properties such as those listed above be brought into compliance with all applicable provisions of the New York State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the parcels of land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcels of land will, at 6:00 p.m. on the 28<sup>th</sup> day of November, 2016, in the 3<sup>rd</sup> Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder and there present, under the conditions herein set forth:

The aforesaid parcels are conveyed, together with all rights and privileges affecting the same, and also together with all buildings, improvements and appurtenances located upon said described parcels, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to accept bids for said parcels, in an amount not less than the minimum price set below, subject to the rights of the said City Council to reject any and all bids, and

<u>Parcel Number</u>	<u>Address</u>	<u>Minimum Bid</u>
11-03-220.000	166 Academy Street	\$ 5,000
<del>1-10-310.000</del>	<del>825 Academy Street</del>	<del>\$ 6,000</del>
1-10-310.000	103 Alexandria Avenue	\$ 100
3-05-331.000	VL Burlington Street	\$ 500
<del>9-14-122.000</del>	<del>125 Casey Street</del>	<del>\$ 1,000</del>
2-02-114.000	524 Clay Street	\$ 4,000
5-06-260.000	340 Rear Colorado Avenue	\$ 500
5-02-302.000	1205 Columbia Street	\$ 1,000
2-02-114.000	524 Cooper Street	\$ 100
5-04-208.000	1230 Gill Street	\$ 1,000
6-06-125.000	316 High Street	\$ 100
6-06-126.001	318 Rear High Street	\$ 500
6-06-126.000	320 High Street	\$ 4,000
<del>6-11-308.000</del>	<del>900 Huntington Street</del>	<del>\$ 1,000</del>
3-05-305.000	602 Lansing Street	\$ 3,000
2-03-111.000	367 Main Street West	\$ 4,000

<del>8-05-121.000</del>	<del>140 Palmer Street</del>	<del>\$ 1,500</del>
<del>8-05-120.000</del>	<del>VL-140 Palmer Street</del>	<del>\$ 100</del>
14-20-313.000	VL-3 Richards Drive	\$ 250
7-17-117.000	321 Sill Street	\$ 3,000
11-01.105.000	209 Sterling Street	\$ 1,000
03-09-101.000	36 Stuart Street	\$ 100
1-24-202.000	59 Woodley Street	\$ 100
1-24-201.000	60 Woodley Street	\$ 100

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 per cent (10%) of the bid price at the same time of each said successful bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said parcels of land shall be then sold to the successful bidder for cash or certified funds only, and

BE IT FURTHER RESOLVED that the Notice of Sale, any offer to purchase, and any deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of the City's delivery of the deed to the buyer, the City shall have the right to seek reversion of title to the City, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any parcel prior to the public sale of said parcels.

**Seconded by Council Member Cody J. Horbacz**

Prior to the vote on the foregoing resolution, Council discussed the properties that Habitat for Humanity and Neighbors of Watertown would like to use for rehabilitation projects.

In addition, Mr. Mills told Council that an offer was received by the City to purchase 900 Huntington Street. Council agreed to remove this from the auction and proceed with a private sale.

**Motion was made by Council Member Mark C. Walczyk to amend the foregoing resolution in order to remove the properties as noted above. Motion was seconded by Council Member Jennings and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 14 - Approving Change Order No. 11 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring**

**Introduced by Council Member Stephen A. Jennings**



WHEREAS on March 30, 2015, City Council of the City of Watertown approved the bid submitted by Bette & Cring in the amount of \$6,268,000 as the General Contractor for the Watertown Municipal Arena Renovation, and

WHEREAS on June 15, 2015, City Council approved Change Order No. 1 in the decreased amount of \$31,260 for changing to a hydraulic elevator, and

WHEREAS also on June 15, 2015, City Council approved Change Order No. 2 in the increased amount of \$20,543 for storm and sanitary separation, as well as removal of high hat channel, and

WHEREAS on July 20, 2015, City Council approved Change Order No. 3 in the amount of \$20,790.42 to cover the cost of steel support beams on the second floor and removing structural steel in the northeast corner of the building addition, and

WHEREAS on September 21, 2015, City Council approved Change Order No. 4 in the amount of \$21,236.92 to cover the cost of removal of lead paint, modify existing concrete footer, relocate a column, install storm sewer pipe, relocate existing roof drains and a credit for fiber mesh, and

WHEREAS on November 16, 2015, City Council approved Change Order No. 5 in the amount of \$34,346.03 to cover the cost of changing the toilet partitions, shoring of roof plank in the Pool House, provide painted galvaneal metal wall panel, provide angle supports of West Gable end wall, modify structural steel to northeast addition, install structural header for an overhead door to the mechanical room, provide heavier duty hinges on doors, credit to reduce footer depth at west addition, and credit to delete benches and angle iron along the 18" ledge on the second floor, and

WHEREAS on December 21, 2015, City Council approved Change Order No. 6 in the amount of \$48,816.05 to cover the cost of replacing main entrance doors in the pool area, additional support to counteract movement of the second floor balcony in the West Addition, replace deteriorated sidewalks adjacent to the entrance of the Pool House, provide thickset for tile floors in the Bathhouse, change stairs from cast-in-place concrete to steel, provide door and hardware off the door schedule from the elevator pit to the sprinkler room, increase the locker room bench size, provide weatherproof access panel on the West Addition roof and a credit to delete the steel condenser platform, and

WHEREAS on December 21, 2015, City Council approved Change Order No. 7 in the amount of \$28,038.05 to provide additional asphalt paving at the east entrance to the arena and to cover the floor finish revisions requested, and

WHEREAS on January 19, 2016, City Council approved Change Order No. 8 for a no cost time extension for building occupancy to March 7, 2016, and

WHEREAS on February 16, 2016, City Council approved Change Order No. 9 in the amount of \$49,698.90 for a credit to change metal stud type, to box out and sheet rock over steel trusses, to add kickers to the parapet wall on the West Addition, to add remobilization cost to complete concrete plank topping, to grind down existing concrete floor in the Vendor Room, to install pier caps at the West Addition entrance columns, to provide additional column to support the upper level mezzanine, and to replace broken and mold stained tile on the walls of the Pool House Locker Room Showers, and

WHEREAS on April 19, 2016, City Council approved Change Order No. 10 in the amount of \$58,728.02 for enclosing beams and installing soffits, repair an existing steel column discovered to have severe corrosion and several other items as documented in their change order, and

WHEREAS Bette & Cring has now submitted Change Order No. 11 in the amount of \$465.44 for refinishing walls in the pool house,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 11, a copy of which is attached and made part of this Resolution, to the contract with Bette & Cring in the amount of \$465.44 as described above bringing the total contract amount to \$6,519,402.83 for the Watertown Municipal Arena Renovation Project, and

BE IT FURTHER RESOLVED that the approval of this Resolution is contingent upon the City Council approving a Bond Ordinance Amendment to cover the expenses associated with this project, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized and directed to sign the Change Order on behalf of the City of Watertown.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Mayor Butler summarized that this was a change order for \$465 for work done by Bette and Cring.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 15 - Authorizing Public Sale of City Owned Tax Sale Certificate**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City of Watertown is the owner of certain tax sale certificates on various lots of land as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as follows:

<u>Parcel Number</u>	<u>Address</u>	<u>Original Tax Sale Certificate Amount</u>
01-14-121.000	465 Martin Street	\$ 1,867.61

and,

WHEREAS the City Council does not wish to take title to these properties,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the tax sale certificates for the land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of

Watertown to the effect that said parcels of land will, at 6:00 p.m. on the 28<sup>th</sup> day of November, 2016, in the 3<sup>rd</sup> Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder there present, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to accept bids for said parcels, in an amount not less than the minimum price set below, subject to the rights of the said City Council to reject any and all bids, and

<u>Parcel Number</u>	<u>Address</u>	<u>Minimum Bid</u>
01-14-121.000	465 Martin Street	\$ 2,000

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 percent (10%) of the bid price at the same time of each said bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said tax sale certificates shall be offered for sale for cash only, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any tax sale certificate prior to the public sale of said certificate.

**Seconded by Council Member Teresa R. Macaluso**

**Rules waived by Motion of Council Member Stephen A. Jennings, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

## **ORDINANCES**

**Ordinance No. 1 - Changing the Approved Zoning Classification of the 1104 and 1108 Washington Street, Parcel Numbers 14-12-107.000 and 14-12-108.000, from Health Services to Neighborhood Business**

**Introduced by Council Member Teresa R. Macaluso**

BE IT ORDAINED where Michael J. Leonelli of Capital Assurance, on behalf of Care Net Pregnancy Center of NNY and Steven Butler, has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of 1104 and 1108 Washington Street, Respective Parcel Numbers 14-12-107.000 and 14-12-108.000, from Health Services to Neighborhood Business, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its November 1, 2016 meeting and defeated a motion recommending that City Council approve the zone change, and

WHEREAS a public hearing was held on the proposed zone change on November 21, 2016, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of 1104 and 1108 Washington Street, Respective Parcel Numbers 14-12-107.000 and 14-12-108.000, shall be changed from Health Services to Neighborhood Business to District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

**Seconded by Council Member Stephen A. Jennings**

**Motion was made by Council Member Teresa R. Macaluso to schedule a Public Hearing on the foregoing ordinance for Monday, November 21, 2016 at 7:30 p.m. Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

Discussion centered on the differences between the zoning classifications, as well as what is allowed in each.

Mr. Lumbis noted this zone change would connect the property to the existing neighborhood business zone from Chestnut Street south to Brook Drive and Chestnut Street north to the Orthodontics Office. He said 1108 Washington Street is a residence but was added into this to avoid spot zoning that parcel.

**Ordinance No. 2 - Changing the Approved Zoning Classification of the Northeast Section of 620 Main Street West, Parcel Number 1-02-114, from Residence B to Neighborhood Business**

**Introduced by Council Member Stephen A. Jennings**

BE IT ORDAINED where Patrick J. Currier of Aubertine and Currier, on behalf of Ronnoco of Watertown, Inc., has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of the Northeast section of 620 Main Street West, Parcel Number 1-02-114, from Residence B to Neighborhood Business, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its November 1, 2016 meeting and adopted a motion recommending that City Council approve the zone change as requested, and

WHEREAS the Jefferson County Planning Board reviewed the application pursuant to General Municipal Law Section 239-m on October 25, 2016, and adopted a motion that the proposed project does not have any county-wide or intermunicipal issues and is of local concern only, and

WHEREAS a public hearing was held on the proposed zone change on November 21, 2016, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of the Northeast section of 620 Main Street West, Parcel Number 1-02-114, shall be changed from Residence B to Neighborhood Business to District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

**Seconded by Council Member Teresa R. Macaluso**

**Motion was made by Council Member Stephen A. Jennings to schedule a Public Hearing on the foregoing ordinance for Monday, November 21, 2016 at 7:30 p.m. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

**Ordinance No. 3 - An Ordinance Increasing the Estimated Maximum Cost and Amending the Plan of Financing in a Bond Ordinance Dated April 4, 2016 Entitled "An Ordinance Authorizing the Issuance of \$9,440,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay Part of the \$9,850,000 Cost of Various Improvements to the City of Watertown Wastewater Treatment Plant, Constituting Phase 1 of the City's Sludge Disposal Modification Program, to be Undertaken in Two Sub-Phases, Phase 1a and Phase 1b, in and For Said City"**

**Introduced by Council Member Teresa R. Macaluso**

AN ORDINANCE INCREASING THE ESTIMATED MAXIMUM COST AND AMENDING THE PLAN OF FINANCING IN A BOND ORDINANCE DATED APRIL 4, 2016 ENTITLED "AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$9,440,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS IMPROVEMENTS TO THE CITY OF WATERTOWN WASTEWATER TREATMENT PLANT, CONSTITUTING PHASE 1 OF THE CITY'S SLUDGE DISPOSAL MODIFICATION PROGRAM, TO BE UNDERTAKEN IN TWO SUB-PHASES, PHASE 1A AND PHASE 1B, IN AND FOR SAID CITY."

Section A. The title and Sections 1 and 2 of The Bond Ordinances dated April 4, 2016 titled:

BOND ORDINANCE DATED APRIL 4, 2016.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$9,440,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS IMPROVEMENTS TO THE CITY OF WATERTOWN WASTEWATER TREATMENT PLANT, CONSTITUTING PHASE 1 OF THE CITY'S SLUDGE DISPOSAL MODIFICATION PROGRAM, TO BE UNDERTAKEN IN TWO SUB-PHASES, PHASE 1A AND PHASE 1B, IN AND FOR SAID CITY.

Are hereby amended to read as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$9,440,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY PART OF THE \$9,850,000 COST OF VARIOUS IMPROVEMENTS TO THE CITY OF WATERTOWN WASTEWATER TREATMENT PLANT, CONSTITUTING PHASE 1 OF THE CITY'S SLUDGE DISPOSAL MODIFICATION PROGRAM, TO BE UNDERTAKEN IN TWO SUB-PHASES, PHASE 1A AND PHASE 1B, IN AND FOR SAID CITY.

Section 1. For the class of objects or purposes of paying part of the cost of various improvements to the City of Watertown Wastewater Treatment Plant, constituting Phase 1 of the Sludge Disposal Modification Program, to be undertaken in two sub-phases, Phase 1A and Phase 1B, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$9,440,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$9,850,000 and that the plan for the financing thereof is by the issuance of the \$9,440,000 bonds of said City authorized to be issued pursuant to this bond ordinance, together a \$410,000 portion of State aid expected to be received; provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State or Federal aid, appropriations of current funds of the City or any other revenue received by the City from other sources for such class of objects or purposes, to the extent the sum of such aid, appropriated funds or other revenue exceeds \$410,000.

Section B. This ordinance is effective immediately.

**Seconded by Council Member Stephen A. Jennings**

**Motion for unanimous consent moved by Council Member Teresa R. Macaluso, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

**Ordinance No. 4 - An Ordinance Amending the Ordinance Dated April 19, 2016, Authorizing the Issuance of \$10,700,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the**

**Costs of the Design, Reconstruction and Expansion of the City's Fairgrounds Arena, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$10,850,000**

WHEREAS, by ordinance dated April 19, 2016, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$10,700,000 bonds of said City to pay the costs of the \$10,700,000 estimated maximum cost of the reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including design costs and incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York;

WHEREAS, said April 19, 2016 ordinance amended an original bond ordinance dated March 17, 2014, which had also been amended March 30, 2015, June 15, 2015, September 21, 2015 and February 16, 2016;

WHEREAS, \$10,000,000 principal amount of such obligations have been issued under such ordinance as amended as of April 19, 2016; and

WHEREAS, the Council now wishes to increase the estimated maximum cost and the amount of bonds authorized for the design, reconstruction and expansion of the City's Fairgrounds Arena from \$10,700,000 to \$10,850,000, in both instances an increase of \$150,000 over that previously authorized;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section A. The title and Sections 1 and 2 of the ordinance of this Council previously amended by the ordinance dated and duly adopted April 19, 2016 authorizing the issuance of \$10,700,000 bonds to pay the estimated maximum cost of the reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including design costs and incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

"AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,850,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE DESIGN, RECONSTRUCTION AND EXPANSION OF THE CITY'S FAIRGROUNDS ARENA, IN AND FOR SAID CITY.

" . . . .

"Section 1. For the specific object or purpose of paying costs of the design, reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$10,850,000 bonds of said City pursuant to the provisions of the Local Finance Law.

"Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$10,850,000 and that the plan for the financing thereof is by the issuance of the \$10,850,000 bonds of said City authorized to be issued pursuant to this bond ordinance. The amount of bonds to be issued will be reduced by the amount of any appropriations of current funds to pay part of the cost of the aforesaid specific object or purpose.

- Section B. The validity of such bonds and bond anticipation notes may be contested only if:
- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
  - (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
  - (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. Upon this ordinance taking effect, the same shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section D. This resolution is effective immediately.

**No Introduction.**

**Ordinance No. 5 - An Ordinance Amending the Ordinance Dated April 19, 2016, Authorizing the Issuance of \$10,700,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Design, Reconstruction and Expansion of the City's Fairgrounds Arena, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$10,750,000**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS, by ordinance dated April 19, 2016, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$10,700,000 bonds of said City to pay the costs of the \$10,700,000 estimated maximum cost of the reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including design costs and incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York;

WHEREAS, said April 19, 2016 ordinance amended an original bond ordinance dated March 17, 2014, which had also been amended March 30, 2015, June 15, 2015, September 21, 2015 and February 16, 2016;

WHEREAS, \$10,000,000 principal amount of such obligations have been issued under such ordinance as amended as of April 19, 2016; and

WHEREAS, the Council now wishes to increase the estimated maximum cost and the amount of bonds authorized for the design, reconstruction and expansion of the City's Fairgrounds Arena from \$10,700,000 to \$10,750,000, in both instances an increase of \$150,000 over that previously authorized;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section A. The title and Sections 1 and 2 of the ordinance of this Council previously amended by the ordinance dated and duly adopted April 19, 2016 authorizing the issuance of \$10,700,000 bonds to pay the estimated maximum cost of the reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including design



costs and incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,750,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE DESIGN, RECONSTRUCTION AND EXPANSION OF THE CITY’S FAIRGROUNDS ARENA, IN AND FOR SAID CITY.

“ . . . .

“Section 1. For the specific object or purpose of paying costs of the design, reconstruction and expansion of the City’s Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$10,750,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$10,750,000 and that the plan for the financing thereof is by the issuance of the \$10,750,000 bonds of said City authorized to be issued pursuant to this bond ordinance. The amount of bonds to be issued will be reduced by the amount of any appropriations of current funds to pay part of the cost of the aforesaid specific object or purpose.

- Section B. The validity of such bonds and bond anticipation notes may be contested only if:
- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
  - (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
  - (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. Upon this ordinance taking effect, the same shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section D. This resolution is effective immediately.

**Seconded by Council Member Cody J. Horbacz**

**Motion for unanimous consent moved by Council Member Stephen A. Jennings, seconded by Council Member Cody J. Horbacz and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

## **OLD BUSINESS**

**The Resolution “Approving Change Order No. 11 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring”. (Introduced on 10/03/2016; tabled; appears in its entirety in the 2016 Minutes Book on page 15-16 of the 10/3/2016 minutes).**

**No motion to remove the resolution from the table.**

**The Resolution “Approving Change Order No. 8 for Watertown Municipal Arena Renovation, Plumbing/Fire Protection, Lawman Heating & Cooling, Inc.”.** *(Introduced on 10/03/2016; tabled; appears in its entirety in the 2016 Minutes Book on page 17-18 of the 10/3/2016 minutes).*

**No motion to remove the resolution from the table.**

## **STAFF REPORTS**

### **Naming rights for Municipal Arena**

Mayor Butler read from the memo, stating there was no response to the RFP and he reviewed the options available.

Council Member Horbach stated he does not see a need to change the name from the “Watertown Municipal Arena,” mentioning the signage for it is available. He suggested Council could revisit this in the future once the hockey season starts to show some attendance records.

Council Member Walczyk agreed with Council Member Horbach.

Council Member Macaluso said she will not support paying a marketing firm to help the City with the naming rights. She advised that she thought the minimum amount was too high from the start, and she also suggested seeing if someone would be more interested in the spring or summer. She indicated that she does not have a problem calling the building the “Watertown Municipal Arena” until then.

Council Member Jennings advised that he is not in favor of hiring a marketing firm, and he said he was never a fan of obtaining sponsorship, but was not opposed to trying. He mentioned that a constituent suggested naming it after the “Veterans” so he said he would bring that to Council.

Mayor Butler said he agrees with the name of “Watertown Municipal Arena” and would be willing to revisit the naming rights in the future.

### **Year-end Financial Report**

Mayor Butler reviewed the yearend report, summarizing that the City did not use as much of the General Fund as it planned and that overall, this is a good financial report.

### **Watertown Municipal Arena Renovation – Recommended Course of Action**

Mayor Butler reviewed the memo discussing the possible impacts of the sliding snow from the sloped roof, as well as detailing the options available to mitigate the damage to the vent pipes and equipment installed on the flat roof within the area of the sliding snow. He pointed out that the installation of snow guards would cut holes into the entire width of the new roof. He said he sees this as a design flaw from the beginning. Discussing the mechanical equipment and gas lines in the area of the sliding snow, he remarked there is a risk of damaging the gas line, which happened last year with just a little snow, and damaging the dry cooler. He advised the snow guard might work on a short-term basis but relocating the equipment and vent pipes would be the best long-term solution.

Council Member Horbacz asked if Stantec offered to pay for the changes that need to be done.

Mayor Butler stressed that Council needs to come to an agreement for the long-term remedy.

Noting the holes put in the roof due to the installation of snow guards might affect the roof's warranty, Council Member Macaluso indicated that she is not in support of putting any holes into the roof for any solution, including the snow guards. She said the City needs to come up with a temporary solution for the winter then move the equipment in the spring. She stated this is the most flawed plan that she has ever heard of for the climate in the North Country.

Discussion centered on the moving of the vent pipes and its affect on the roof's integrity in comparison to the holes put in the roof for the snow guards. Mayor Butler indicated the roof manufacturer would have to approve the correction pursued to ensure the roof warranty.

Attorney Slye commented that his understanding is that the patch to the vent pipes will be much more secure by using the same roofing contractor than putting over 1,500 holes in the roof to install the snow guards.

Council Member Walczyk summarized the plan would be to not install the snow guards and the City should take action to mitigate any possible damage over this winter.

Mr. Wood pointed out that if the City decides on a "non-snow guard" solution then there is no reason to wait on proceeding with the relocation of the gas lines. He advised there is a change order on the table that could be approved and with verbal authorization, Lawman could start this project in the next few weeks so that is one less thing to worry about over the winter. He stressed the gas lines could be fixed permanently before winter and added the dry cooler could possibly be relocated this fall if he was give to verbal authorization to move ahead with exploring that.

Attorney Slye reminded Council that the contract with Lawman is not closed so the City is entitled to direct further work on a time and material basis. He added that the City does not need to enter into a new contract for this and stated Council could authorize the City Engineer to direct that the dry cooler be moved on a time and material basis as well as separately approving the tabled resolution for the change order for the fixed price in connection with the gas line.

Council Member Macaluso expressed her frustration over this situation, noting further discussion could happen in executive session.

Council Member Walczyk agreed that he is frustrated that the tax payers will have to pay for a problem that they did not create.

## **NEW BUSINESS**

### **November Work Session**

Council agreed to start the work session at 6:00 p.m.

Ms. Addison indicated that there currently is not a topic for next week's work session.

**Naming of the Great Falls – David Schryver’s Request**

Council Member Walczyk said he is in support of naming the waterfalls and encouraged people to check out the website.

Mayor Butler indicated a letter of support will be prepared along with a resolution for the next meeting.

**Drone Legislation**

Council Member Walczyk asked for an update.

Attorney Slye said he will check with Attorney Stone on this.

**Thompson Park Pool**

Council Member Walczyk said he still supports working Thompson Park Pool into the next budget.

**Neighborhood Watch**

In response to Mayor Butler’s inquiry, Police Chief Donoghue reviewed the Neighborhood Watch Program that was done in the past, discussing its successes as well as its issues. He said he will contact other Police Chiefs throughout the state to obtain information on the possible implementation of a new program.

**Motion was made by Council Member Stephen A. Jennings to move into Executive Session to discuss pending, proposed or threatened litigation.**

**Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

Council moved into Executive Session at 9:17 p.m.

Council reconvened at 9:45 p.m.

**Watertown Municipal Arena Renovation – Recommended Course of Action (continued)**

Council authorized the City Engineer to proceed with the necessary work for moving the dry cooler as well as the gas lines.

**Motion was made by Council Member Cody J. Horbach to take from the table the resolution “Approving Change Order No. 8 for Watertown Municipal Arena Renovation, Plumbing/Fire Protection, Lawman Heating & Cooling, Inc.”. *(Introduced on 10/03/2016; tabled; appears in its entirety in the 2016 Minutes Book on page 17-18 of the 10/3/2016 minutes).***

**Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**A D J O U R N M E N T**

**At the call of the chair, meeting was duly adjourned at 9:45 p.m. by motion of Council Member Cody J. Horbacz, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

**Ann M. Saunders**  
City Clerk